

KOLESAR & LEATHAM, CHTD.
3320 West Sahara Avenue, Suite 380
Las Vegas, Nevada 89102
Tel: (702) 362-7800 / Fax: (702) 362-9472

NILE LEATHAM, ESQ.
Nevada Bar No. 002838
NATALIE M. COX, ESQ.
Nevada Bar No. 007662
KOLESAR & LEATHAM, CHTD.
3320 West Sahara Avenue, Suite 380
Las Vegas, Nevada 89102-3202
Telephone No. (702) 362-7800
Facsimile No. (702) 362-9472
E-Mail: nleatham@klnevada.com
ncox@klnevada.com

*Electronically Filed
May 27, 2010*

PHILIP C. DUBLIN (NY Bar No. 2959344)
MEREDITH A. LAHAIE (NY Bar No. 4518023)
AKIN GUMP STRAUSS HAUER & FELD LLP
One Bryant Park
New York, NY 10036
Telephone: 212.872.1000
Facsimile: 212.872.1002
E-Mail: pdublin@akingump.com
mlahaie@akingump.com

Counsel for Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:)	CASE NO. BK-09-14814-LBR
)	(Jointly Administered)
THE RHODES COMPANIES, LLC, aka)	
"Rhodes Homes," et al., ¹)	Chapter 11
)	
Reorganized Debtors.)	Hearing Date: June 21, 2010 (Requested)
)	Hearing Time: 9:30 A.M.

¹ The Reorganized Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

Affects:)
☒ All Debtors)
☐ The Following Debtor(s):)
)
)
)
)
)
)

**AFFIDAVIT OF NILE LEATHAM IN
 SUPPORT OF EX-PARTE MOTION
 FOR ORDER SHORTENING TIME RE:
 REORGANIZED DEBTORS'
 OBJECTION TO JAMES RHODES'
 PROOF OF CLAIM NO. 814-33 AND
 NOTICE OF AMENDMENT OF
 SCHEDULES OF ASSETS AND
 LIABILITIES**

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

NILE LEATHAM, ESQ., being first duly sworn, deposes and says as follows:

1. I am an attorney licensed to practice law in the State of Nevada and all State and Federal Courts in said state.

2. I am an attorney with Kolesar & Leatham, Chtd., counsel for Reorganized Debtors in the above-captioned case. Pursuant to operation of the plan of reorganization (the Plan") confirmed in the above-captioned cases, the Reorganized Debtors may retain and pay professionals post-confirmation, and Kolesar & Leatham, Chtd., is post-confirmation local counsel for the Reorganized Debtors.

3. The last remaining scheduled omnibus hearing date in the above-captioned cases is June 21, 2010.

4. The Reorganized Debtors object to the Claim (No. 814-33) of James Rhodes ("Objection"), and seek a hearing date for the Court to hear and adjudicate the Objection.

5. I am advised that hearing dates for objections to claims in this case are reserved to omnibus dates.

6. Pursuant to the plan of reorganization confirmed by the Court, the Reorganized Debtors must file this objection within 60 days of the Effective Date. Further, the plan of reorganization provides that litigation against James Rhodes ("Rhodes"), for the benefit of creditors, cannot be commenced until the Bankruptcy Court rules on the Objection. With no omnibus hearing dates scheduled beyond June 21, 2010, we cannot ensure that prosecution of potential causes of action against Rhodes can be commenced timely for the benefit of the

KOLESAR & LEATHAM, CHTD.
 3320 West Sahara Avenue, Suite 380
 Las Vegas, Nevada 89102
 Tel: (702) 362-7800 / Fax: (702) 362-9472


1 Debtors' creditors, which would thus prolong the administration of the Plan and delay the entry
2 of a final decree.

3 7. Based on the aforementioned, the Reorganized Debtors ask this Court to shorten
4 time to hear the Objection.

5 Further Affiant sayeth naught.

6
7
8 
NILE LEATHAM

9 SUBSCRIBED and SWORN to before
10 me this 27th day of May, 2010.

11 
12 NOTARY PUBLIC in and for said
County and State



KENNETH A. BURNS
Notary Public State of Nevada
No. 94-2013-1
My appl. exp. Sept. 4, 2010

KOLESAR & LEATHAM, CHTD.

3320 West Sahara Avenue, Suite 380

Las Vegas, Nevada 89102

Tel: (702) 362-7800 / Fax: (702) 362-9472